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10/809,476

03/26/2004

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EXAMINER

SELBY, GEVELL V

ART UNIT

PAPER NUMBER

2622

MAIL DATE

DELIVERY MODE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/809,476

Applicant(s)

HOSHINO ET AL.

Examiner

Gevell Selby

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                 | 5) <input type="checkbox"/> Notice of Informal Patent Application                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 112*

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-9 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. Claims 1-9 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are: the relationships between the meta-data display system, the imaging apparatus, the display apparatus, the device that extracts the meta data, and the device that synthesizes the meta data are all omitted and the claim fails to disclose how the components are connected and operated together to make the invention perform as stated in the claim.

Therefore, claims 1 and 6 are vague and indefinite and lack essential structural element to allow one of ordinary skill in the art to understand the scope of the invention. Claims 2-5 and 7-9 are also rejected for their dependency on claims 1 and 6. In order to continue the examination of the application, the examiner will interpret the invention in claim 1 and 6 as comprising: an imaging apparatus, a display apparatus, a meta data extraction apparatus, and a meta data synthesis apparatus.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 1, 3-6, 8-12, 14, and 16-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Hanamoto, US 2002/0019833.**

In regard to claim 1, Hanamoto, US 2002/0019833, discloses a meta-data display system for displaying meta data related to a video signal generated by an imaging apparatus comprising:

an imaging apparatus (see para 109: digital video camera);

a display apparatus (see figure 10, element 1103);

a meta data extraction apparatus (see figure 10, element 1104); and

a meta data synthesis apparatus (see figure 10, element 1104);

wherein, at least a part of said meta data added to said video signal of every frame is extracted from said video signal and synthesized with said video signal (see para 116-117, 130, and 131: the meta data added to the video signal is extracted to compare it to the keyword in the template to select the matching video signals to display); and

said video signal including said synthesized meta data is displayed on a display apparatus (see para 136: meta data on time, location and the like are displayed on the display with the moving image).

In regard to claim 3, Hanamoto, US 2002/0019833, discloses the meta-data display system according to claim 1, wherein said meta data added to said video signal includes scene-information meta data, which is meta data related to a scene shot by said imaging apparatus (see para 117: meta data includes scene information on location and date of photograph).

In regard to claim 4, Hanamoto, US 2002/0019833, discloses the meta-data display system according to claim 1, wherein said meta data added to said video signal is packed into one or more meta-data groups provided for different purposes of utilizing said meta data (see para 117: different groups of "location", "date", "object", "keyword", and the like).

In regard to claim 5, Hanamoto, US 2002/0019833, discloses the meta-data display system according to claim 1, said meta-data display system having a video-signal recording/reproduction apparatus (see figure 10, element 1104) for recording and reproducing said video signal including said meta data added thereto onto and from a recording medium, wherein at least a part of said meta data is extracted from said video signal reproduced by said video-signal recording/reproduction apparatus and synthesized with said video signal (see para 106 and 107: the CPU writes image data along with meta data into the storage device to hold for editing and reads the data out for editing and display).

In regard to claim 6, Hanamoto, US 2002/0019833, discloses a meta-data synthesis apparatus (see figure 10) for extracting at least a part of meta data added to a video signal generated by an imaging apparatus for every frame from said video signal and synthesizing said extracted part with said video signal (see para 107 and 136: the CPU can always display meta data with the moving images) comprising:

an imaging apparatus (see para 109: digital video camera);

a display apparatus (see figure 10, element 1103);

a meta data extraction apparatus (see figure 10, element 1104)..

In regard to claim 8, Hanamoto, US 2002/0019833, discloses the meta-data synthesis apparatus according to claim 6, wherein said meta data added to said video signal includes scene-information meta data, which is meta data related to a scene shot by said imaging apparatus (see para 117: meta data includes scene information on location and date of photograph).

In regard to claim 9, Hanamoto, US 2002/0019833, discloses the meta-data synthesis apparatus according to claim 6, wherein said meta data added to said video signal is packed into one or more meta-data groups provided for different purposes of utilizing said meta data (see para 117: different groups of "location", "date", "object", "keyword", and the like).

In regard to claim 10, Hanamoto, US 2002/0019833, discloses a video-signal recording/reproduction apparatus comprising:

a recording/reproduction unit (see figure 10, element 1104) for recording and reproducing a video signal generated by an imaging apparatus as a video

signal with every frame thereof including additional meta data related to said video signal onto and from a recording medium (see para 106 and 107: the CPU writes image data along with meta data into the storage device to hold for editing and reads the data out for editing and display); and

a meta-data synthesis apparatus (see figure 10, elements 1104 and 1103 for extracting at least a part of said meta data from said video signal including said meta data added to every frame and synthesizing said extracted part with said video signal (see para 107 and 136: the CPU can always display meta data with the moving images) on the display.

In regard to claim 11, Hanamoto, US 2002/0019833, discloses the video-signal recording/reproduction apparatus according to claim 10, wherein said meta data added to said video signal is packed into one or more meta-data groups provided for different purposes of utilizing said meta data (see para 117: different groups of “location”, “date”, “object”, “keyword”, and the like).

In regard to claim 12, Hanamoto, US 2002/0019833, discloses video-signal recording/reproduction apparatus according to claim 10, wherein said meta-data synthesis apparatus extracts at least a part of said meta data from said video signal reproduced by said recording/reproduction unit from said recording medium and synthesizes said extracted part with said reproduced video signal (see para 136).

In regard to claims 14, 16, 17, and 18, since Hanamoto, US 2002/0019833, discloses the meta data display apparatus as described in regard to claims 1, 3, 4, and 5 above, the method of operation also disclosed.

**6. Claims 1, 2, 7, and 13-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Yanagita et al, US 6,954,319.**

In regard to claim 1, Yanagita et al, US 6,954,319, discloses a meta-data display system for displaying meta data related to a video signal generated by an imaging apparatus comprising:

an imaging apparatus (see figure 10, elements 40-43);

a display apparatus (see figure 10, element 44);

a meta data extraction apparatus (see figure 10, element 13); and

a meta data synthesis apparatus (see figure 10, element 21);

wherein, at least a part of said meta data added to said video signal of every frame is extracted from said video signal and synthesized with said video signal (see column 10, lines 55-63: metadata is extracted from the video tape and stored in the RAM); and

said video signal including said synthesized meta data is displayed on a display apparatus (see column 10, lines 1-10: the monitor 44 displays the meta data stored in the RAM).

In regard to claim 2, Yanagita et al, US 6,954,319, discloses the meta-data display system according to claim 1, wherein said display apparatus (see figure 10, element 44) is provided in said imaging apparatus (see column 10, lines 8-10).

In regard to claim 7, Yanagita et al, US 6,954,319, discloses the meta-data synthesis apparatus according to claim 6, wherein said video signal including said meta data synthesized therewith is transmitted to said imaging apparatus (see column 10, lines



Art Unit: 2622

55-63: the video signal and meta data is read from the magnetic tape and transferred to the imaging apparatus).

In regard to claim 13, Yanagita et al, US 6,954,319, discloses an imaging apparatus comprising:

an imaging unit (see figure 10, element 40 and 41) for taking an image of an object and generating a video signal representing said image (see column 9, lines 38-62); and

a display unit (see figure 10, element 44) for displaying said video signal, wherein said imaging apparatus is connected to a meta-data synthesis apparatus (see figure 10, element 41, CPU) of which at least a part of meta data related to said video signal is extracted from said video signal including said meta data added to every frame and synthesized with said video signal (see column 10, lines 14-63: metadata is extracted from the video tape and stored in the RAM), and

said imaging apparatus receives from said meta-data synthesis apparatus said video signal including said synthesized meta data and displays said video signal on said display unit (see column 10, lines 1-10: the monitor 44 displays the meta data stored in the RAM).

In regard to claims 14 and 15, since Yanagita et al, US 6,954,319, discloses the meta data display apparatus as described in regard to claims 1 and 2 above, the method of operation also disclosed.


*Conclusion*

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 20020040360, discloses an image display system that displays meta data retrieved from image data.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gevell Selby whose telephone number is 571-272-7369. The examiner can normally be reached on 8:00 A.M. - 5:30 PM (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lin Ye can be reached on 571-272-7372. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Gevell Selby, Art Unit 2622  
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